IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9654 OF 2004

Union of India and anr. ...Petitioner
vs.
M/s. Dharamsi Morarji
Chemical Co.ltd and Ors. ....Respondents

M. Janardhan for the petitioner.
Mr.R.S. Apte with Mr. A.A. Garge
for respondent no.1.

CORAM: S.U. KAMDAR, J.

DATE : 19th November, 2005.

P.C. :

1. In the present petition the orders passed in three suits being Suit no. 34 of 2003, 35 of 2003 and 40 of 2003 has been challenged. In so far as Suit No. 34 of 2003 is concerned the challenge does not survive as the suit itself has been withdrawn and a fresh suit has been filed.

In so far as Suit no. 35 of 2003 and 40 of 2003 is concerned, the learned counsel for the petitioner states that they are only filed for declaration and injunction and thus would not fall under the provisions of Section 36. In that view of the matter, petition dismissed. No order as to costs.

sd/-

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